

AMENDED IN ASSEMBLY AUGUST 18, 2005

AMENDED IN ASSEMBLY JULY 13, 2005

AMENDED IN SENATE APRIL 12, 2005

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 186

Introduced by Senator Battin

(Principal coauthor: Assembly Member Benoit)

February 10, 2005

~~An act to add Sections 1363.01 and 1363.09 to the Civil Code, relating to common interest developments. An act to amend Sections 374 and 411 of the Streets and Highways Code, relating to highways.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 186, as amended, Battin. ~~Common interest developments. State highways: relinquishment.~~

Existing law gives the Department of Transportation full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish portions of State Highway Routes 74 and 111 in Riverside County to specified local agencies under certain conditions.

~~Existing law defines and regulates common interest developments and authorizes the association that manages the development to levy assessments to fulfill its obligations. Existing law, the Common~~

~~Interest Development Open Meeting Act, also requires that, among other things, members of the association be permitted to attend association board meetings, that matters discussed in executive session be noted in the minutes of the next meeting that is open to the entire membership, and that members be provided with specified notice regarding, and the minutes of, meetings.~~

~~This bill would prohibit the use of any funds of the association for campaign purposes, as specified, in connection with any association board election. The bill would also authorize a member of an association to bring a civil action, as specified, for a violation by the association of the association's operating rules or the open meeting act and would provide for a civil penalty of up to \$1,000, as specified.~~

~~The bill would become operative contingent on the enactment of AB 1098.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 374 of the Streets and Highways Code is
2 amended to read:
3 374. (a) Route 74 is from:
4 (a)
5 (1) Route 5 near San Juan Capistrano to Route 15 near Lake
6 Elsinore.
7 (b)
8 (2) Route 15 near Lake Elsinore to Route 215 near Perris.
9 (c)
10 (3) Route 215 near Perris to Route 10 near Thousand Palms
11 via Hemet and Palm Desert.
12 (b) (1) The commission may relinquish to the City of Palm
13 Desert the portion of Route 74 that is located within the city
14 limits of that city, upon terms and conditions the commission
15 finds to be in the best interests of the state, if the department and
16 the city enter into an agreement providing for that
17 relinquishment.
18 (2) A relinquishment under this subdivision shall become
19 effective immediately following the county recorder's
20 recordation of the relinquishment resolution containing the

1 *commission's approval of the terms and conditions of the*
2 *relinquishment.*

3 *(3) On and after the effective date of the relinquishment, the*
4 *relinquished portion of Route 74 shall cease to be a state*
5 *highway.*

6 *(4) The portion of Route 74 relinquished under this*
7 *subdivision shall be ineligible for future adoption under Section*
8 *81.*

9 *(5) For the portion of Route 74 that is relinquished under this*
10 *subdivision, the City of Palm Desert shall maintain within its*
11 *jurisdiction signs directing motorists to the continuation of Route*
12 *74.*

13 *SEC. 2. Section 411 of the Streets and Highways Code is*
14 *amended to read:*

15 411. (a) Route 111 is from:

16 ~~(a)~~

17 *(1) The international border south of Calexico to Route 78*
18 *near Brawley, passing east of Heber.*

19 ~~(b)~~

20 *(2) Route 78 near Brawley to Route 86 via the north shore of*
21 *the Salton Sea.*

22 ~~(c)~~

23 *(3) Route 10 near Indio to the southeastern city limits of*
24 *Rancho Mirage.*

25 ~~(d)~~

26 *(4) The western city limits of Cathedral City to Route 10 near*
27 *Whitewater.*

28 *(b) (1) The commission may relinquish to the Cities of Indian*
29 *Wells and Palm Desert the respective portions of Route 111 that*
30 *are located within the city limits of those cities, upon terms and*
31 *conditions the commission finds to be in the best interests of the*
32 *state, if the department and the applicable city enter into an*
33 *agreement providing for that relinquishment.*

34 *(2) A relinquishment under this subdivision shall become*
35 *effective immediately following the county recorder's*
36 *recordation of the relinquishment resolution containing the*
37 *commission's approval of the terms and conditions of the*
38 *relinquishment.*

1 (3) *On and after the effective date of the relinquishment, the*
2 *relinquished portions of Route 111 shall cease to be a state*
3 *highway.*

4 (4) *The portions of Route 111 relinquished under this*
5 *subdivision shall be ineligible for future adoption under Section*
6 *81.*

7 (5) *For the portions of Route 111 that are relinquished under*
8 *this subdivision, the Cities of Indian Wells and Palm Desert, as*
9 *applicable, shall maintain within their respective jurisdiction*
10 *signs directing motorists to the continuation of Route 111.*

11 (c) The relinquished former portions of Route 111 within the
12 Cities of Cathedral City and Rancho Mirage are not a state
13 highway and are not eligible for adoption under Section 81.

14
15
16 **All matter omitted in this version of the bill**
17 **appears in the bill as amended in Senate,**
18 **July 13, 2005 (JR11)**
19